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Attorneys for Plaintiffs,
JOAN G. LOZOYA

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

JOAN G. LOZOYA, Plaintiff, v. ERIC J. ANDERSON, M.D.; LINDSY BLAKE, M.D.; HOSPITAL CORPORATION OF AMERICA, INC.; MOUNTAIN VIEW HOSPITAL; FREEMONT EMERGENCY SERVICE, INC.; ALEXANDRA E. PAGE, M.D.; KAISER FOUNDATION HEALTH PLAN, INC.; KAISER PERMANENTE and DOES 1 through 30, inclusive, Defendant(s).	CASE NO. 07CV-2148IEG (WMC) **PLAINTIFF'S REQUEST FOR EXTENSION OF TIME TO FILE AFFIDAVIT AND AMENDED COMPLAINT**

TO THE COURT:

Plaintiff hereby request an extension of time to file and serve the Amended Complaint and Affidavit in the above mentioned matter for 15 days for the date of this request. The request is made and based upon the following declaration of Frank J. Lozoya IV, Esq.

Dated: July 14, 2008

LAW OFFICES OF LOZOYA & LOZOYA

s/Frank J. Lozoya IV

FRANK J. LOZOYA IV
Attorneys for Plaintiff,
JOAN G. LOZOYA

DECLARATION OF FRANK J. LOZOYA IV

I, Frank J. Lozoya IV, am counsel and attorney of record for Plaintiff, Joan G. Lozoya in this action.

I am an adult, and all of the information set forth in this declaration is known to me personally, and if called as a witness, I would and could competently testify thereto.

* * *

1. On ruling on the Defendants' Motion to Dismiss, on June 17, 2008 this court issued an Order (Docket No. 29) that Plaintiff had 30 days to amend the complaint by adding the NRS 41A.071 Medical Affidavit to the Complaint.
2. As previously advised, plaintiff has consulted with a medical expert and that medical expert has agreed to provide the necessary medical affidavit. Based upon consultation with that expert, a Affidavit was forwarded to her for signature. However, on July 13th my office was advised that she was out of the State on a conference and would not be returning until Tuesday, July 23, 2008. We have requested that her office attempt to obtain her signature digitally but we have not been advised she has that capability to do so.
3. Therefore, in an abundance of caution I would request a fifteen (15) day extension to file the affidavit as I will not be able to obtain the required signature for filing the Affidavit until a few days after she returns on Tuesday, July 23, 2008.
4. I believe good cause does exit for this court to grant an additional fifteen (15) days from this date for Plaintiff to file the Amended Complaint which will include the NRS 41A.071 Medical Affidavit as required by the June 17, 2008 order.

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Respectfully requested.

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I declare under penalty of perjury that the foregoing is true and correct under the laws of the State of California and the United States.

Executed this 14th day of July 2008, in Sherman Oaks, California.

s/Frank J. Lozoya IV
FRANK J. LOZOYA IV

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My address is 15060 Ventura Blvd., Suite 211, Sherman Oaks, California 91403.

On July 14, 2008, I served the foregoing document described as: **PLAINTIFF'S REQUEST FOR EXTENSION OF TIME TO FILE AFFIDAVIT AND AMENDED COMPLAINT,** on the interested parties in this action by placing a true copy thereof in a sealed envelope, addressed as follows:

SEE ATTACHED SERVICE LIST

(XXXXX) MAIL: I placed such envelope(s) with postage thereon fully paid in the United States mail at Sherman Oaks, Los Angeles County, California.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Sherman Oaks, Los Angeles County, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(XXX) VIA U.S. MAIL: On July 14, 2008, I served the above-mentioned document(s) on the above-listed parties via first class pre-paid United states Mail at the above addresses. I declare that I am employed in the office of a member of the bar of this federal court at whose direction the service was made.

Executed on July 14, 2008, at Sherman Oaks, Los Angeles County, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

s/Frank J. Lozoya IV, Esq.
FRANK J. LOZOYA IV

ATTACHED SERVICE LIST

LOZOYA V. ANDERSON, et al.
CASE NO. 07CV-2148IEG (WMC)
Proof of Service List

Yuk K. Law, Esq. LAW + BRANDMEYER LLP 245 S. Los Robles Avenue, Suite 600 Pasadena, California 91101 Telephone: 626-243-5500 Facsimile: 626-243-4799	Attorney for Defendant, ERIC ANDERSON, M.D., FREMONT EMERGENCY SERVICES, INC. (erroneously sued and served herein as FREMONT EMERGENCY SERVICE, INC.)
Scott D. Buchholz, Esq. Kyle A. Cruse, Esq. DUMMIT, BUCHOLZ & TRAPP 101 West Broadway, Suite 1400 San Diego, California 92101-8122 Telephone: 619-231-7738 Facsimile: 619-231-0886	Attorney for Defendant, HEALTH CORPORATION OF AMERICA, INC., and MOUNTAIN VIEW HOSPITAL